

March 18, 1975

SENATOR LUEDTKE: Yes sir.

SENATOR CHAMBERS: Some of the costs that come from court costs, does any money from the cost assessed against each individual go into a judges fund?

SENATOR LUEDTKE: Retirement fund? Yes sir.

SENATOR CHAMBERS: Would this money go into the retirement fund even if nobody is found guilty?

SENATOR LUEDTKE: No. What do you mean, if they're not found guilty? There wouldn't be any . . . costs would not be assessed against the individual then.

SENATOR CHAMBERS: Without the cost the Judges Retirement Fund wouldn't get the dollar that they would get where the cost is assessed.

SENATOR LUEDTKE: It's only where the costs are assessed. That's right.

SENATOR CHAMBERS: Thank you, Senator Luedtke. I wish you could understand what I'm trying to show you here. Judges, like everybody else, are interested in getting as much money as they can. They come down here to lobby for salary increases, which I don't blame them for. Judges have some sayso on how much money is going to be in their retirement fund. The more people they convict, the more people have costs assessed against them. When these costs are assessed, then money goes into the Judges Retirement Fund. I'm not saying, by the way, that every judge is corrupt. All I'm saying is that we should not give a financial interest to a judge to find people guilty. I'm saying, also, that in the court system of this state there is not adequate legal counsel available for the people who come before these courts. That is why, since you didn't vote to kill the bill, I hope you will not vote to advance it.

PRESIDENT: Senator Kremer. Excuse me, I'm sorry. Senator Nichol had his light on before you Senator Kremer.

SENATOR NICHOL: Mr. Chairman, I'd like to ask Senator Luedtke one little question please.

PRESIDENT: One little question Senator Luedtke?

SENATOR LUEDTKE: Yes sir.

SENATOR NICHOL: Senator Luedtke, it used to be that when J.P.'s found somebody not guilty the county paid the fee to the J.P. for that. Isn't that correct? Yes it is correct. Any way . . .

SENATOR LUEDTKE: When somebody . . . let's get that in. You said when the J.P. found somebody guilty?

SENATOR NICHOL: No, when they found them not guilty.

SENATOR LUEDTKE: Yes. Then the J.P. didn't get paid.